

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Criminal Application [BA] No.374 of 2018

Abdul Salam s/o Abdul Nabi

vs.

State of Maharashtra, through P.S.O. Dharni, District Amravati

*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

Court's or Judge's Orders

*Shri Sk. Sibghatullah Jagirdar, Advocate for the Applicant.
Ms. Ritu Kalia, A.P.P. for the Non-Applciant-State.*

CORAM : S.B. SHUKRE, J.
DATE : 24th APRIL, 2018.

Heard.

Reply of the prosecution is taken on record.

Perused the earlier order passed by this Court.

Much as the learned Counsel for the applicant would submit to convince this Court that this application is maintainable, because there is something which constitutes change in circumstances, I would only say, the effort is without any merit.

Initially, the learned Counsel for the applicant tried to show that the co-accused, who were granted bail, stood on a lesser footing than this applicant and so, now this applicant is entitled to be released on bail. But, all those orders were passed much before the last order passed by this Court on 01/02/2018 by which the second bail application of this

applicant was rejected by this Court on the ground that the applicant was unable to point out any change in circumstances. Same applies to the another ground taken by this applicant. It is that the wife of this applicant is suffering from some kidney ailment since last two years. This circumstance was also available for it's being pleaded on the previous occasions. As such, it would not constitute any change in circumstances.

The learned Counsel for the applicant also tried to argue on merits of the case which certainly would not be any change in circumstances.

In the result, I find that this application is not maintainable and is rejected.

JUDGE

**sandesh*